



RAVALLI COUNTY ATTORNEY

George H. Corn, County Attorney
T. Geoffrey Mahar, Chief Deputy
John Bell, Deputy
Karen Mahar, Deputy
D. James McCubbin, Deputy
William E. Fulbright, Deputy

Ravalli County Courthouse
205 Bedford, Suite C
HAMILTON, MT 59840-2853
Phone (406) 375-6750
Fax (406) 375-6731

MEMO

TO: Karen Hughes, Planning Department

CC: Ravalli County Commissioners

DATE: December 20, 2006

FROM: George Corn

RE: Questions and Answers regarding Interim Zoning Regulation

Dear Karen:

On November 13, 2006, you forwarded a list of questions regarding the interim zoning regulation passed by the voters in the November 7, 2006 election. Note that we have already forwarded you a memo dated December 5, 2006, which addresses in detail the effect of this interim zoning regulation on pending subdivision applications.

Attached you will find an edited copy of your "Questions and Answers Regarding the Initiative Entitled...." This document answers the basic questions you put forth regarding the interim zoning regulation.

There were various questions from the draft "Questions and Answers" you provided to us, as well as the document you forwarded entitled "Questions Regarding the Validity of Interim Zoning Initiative" that have not been answered. These questions put forth hypothetical situations or asked general questions about the validity of the zoning regulation. At this time, the interim zoning regulation has been adopted via vote of the electors and is therefore presumed valid. It is not time-efficient to speculate on various hypothetical challenges or claims that might be made. If questions arise pertaining to specific proposed divisions of land submitted to your office, those should be addressed on a case-by-case basis.

I hope this helps clarify some issues for you and those calling your office.